

DEPARTMENT OF SOCIAL SERVICES  
744 P Street, Sacramento, CA 95814



November 29, 1989

ALL-COUNTY INFORMATION NOTICE NO. I-80-89

TO: ALL COUNTY WELFARE DEPARTMENTS

SUBJECT: FEDERAL DISASTER RELIEF ASSISTANCE FOR ELIGIBLE LEGALIZED ALIENS (ELAs)

This letter is to transmit a news release (attachment) from the Immigration and Naturalization Service (INS) containing a policy clarification regarding the receipt of Federal disaster relief assistance by ELAs under the Immigration Reform and Control Act (IRCA) of 1986.

The following information is relevant to County Welfare Departments with a service population that includes ELAs, who may be reluctant to apply for Federal emergency assistance for fear that their opportunity to become permanent legalized residents would be jeopardized.

The news release states that financial assistance under any Federal Disaster Program does not constitute public cash assistance and should not affect an alien's ability to become a permanent resident. In addition, INS will not seek any information to identify aliens receiving emergency aid. There is, however, a residency requirement to be eligible for the Small Business Administration loan and grant program (please refer to attachment).

We encourage you to share this information with your staff or those who deal with IRCA aliens.

Should you have any questions, please contact Mr. Lee Davis, Program Analyst Immigration and Resettlement Bureau, at (916) 322-5554.

A handwritten signature in dark ink, appearing to read 'Robert A. Horel'.

ROBERT A. HOREL  
Deputy Director  
Welfare Program Division

cc: CWDA

Attachment

# News Release

Contact: Verna Jervis or Duke Austin  
Press Information Office  
Phone (202) 633-2648

October 23, 1989

## INS Declares Emergency Assistance Will Not Jeopardize Aliens' Status

The Immigration and Naturalization Service (INS) said today that aliens receiving assistance as a result of the recent earthquake or hurricanes will not be barred from obtaining legal residence.

Acting Commissioner James L. Buck said, "Aliens fearing to come forward for disaster relief assistance because of belief they would jeopardize their status in the United States should be assured that their concerns are unwarranted.

"Receipt of any natural disaster related emergency relief is not considered as public cash assistance, and will not affect an alien's ability to become a permanent resident under the legalization provisions of the 1986 Immigration Reform and Control Act," Buck said.

INS will request no information concerning undocumented aliens from the assistance organizations involved in the relief efforts, he added.

GRAPHIC MESSAGE		PRECEDENCE IMMEDIATE		SECURITY CLASSIFICATION UNCLASSIFIED	
NAME OF AGENCY USDOJ, USINS, WRO, SPD REFORM (ROCOM. ((WROREF)))		ACTION: INFO:			
ACCOUNTING CLASSIFICATION 1581217/2210.790		DATE PREPARED 10-19-87		FILE WRREF 5211/52	
FOR INFORMATION CALL					
NAME DOUG CALVERT		PHONE NUMBER 795-6546		TYPE OF MESSAGE <input checked="" type="checkbox"/> SINGLE <input type="checkbox"/> BOOK <input checked="" type="checkbox"/> MULTIPLE ADDRESSES	
THIS SPACE FOR USE OF COMMUNICATION UNIT					
MESSAGE TO BE TRANSMITTED (Use double spacing and all capital letters)					

TO:

THE CONCERN CENTERS ON WHETHER NEWLY LEGALIZED ALIENS ARE ENTITLED TO BENEFIT FROM CERTAIN FORMS OF DISASTER RELIEF, AND FURTHER WHETHER THE RECEIPT OF SAID DISASTER RELIEF WILL AFFECT THEIR ADJUSTMENT TO PERMANENT RESIDENT STATUS.

THERE ARE BASICALLY 3 PROGRAMS INVOLVED:

- 1) FEMA (FEDERAL EMERGENCY MANAGEMENT AGENCY) WHICH PROVIDES TEMPORARY HOUSING TO DISASTER VICTIMS.
- 2) IFG (INDIVIDUAL FAMILY GRANTS) WHICH IS ALSO GIVEN IS ALSO GIVEN TO PERSONS WHO HAVE BEEN THE VICTIMS OF THE DISASTER.
- 3) SBA (SMALL BUSINESS ADMINISTRATION) LOW INTEREST LOANS AND GRANTS TO HELP VICTIMS OF DISASTER REBUILD.

SECURITY CLASSIFICATION UNCLASSIFIED	
PAGE NO 2	NO. OF PGS 4

## TELEGRAPHIC MESSAGE

FROM: AGENCY USDOJ, USINS, WRO, SPD REFORM (ROCOM ([WROREF]))		PRECEDENCE IMMEDIATE ACTION: INFO:		SECURITY CLASSIFICATION UNCLASSIFIED	
ACCOUNTING CLASSIFICATION 1581217/2210.790		DATE PREPARED 10-19-87		FILE WRREF 5211/52	
FOR INFORMATION CALL					
NAME DOUG CALVERT		PHONE NUMBER 795-6546		TYPE OF MESSAGE <input checked="" type="checkbox"/> SINGLE <input type="checkbox"/> BOOK <input checked="" type="checkbox"/> MULTIPLE ADDRESS	
THIS SPACE FOR USE OF COMMUNICATION UNIT					

MESSAGE TO BE TRANSMITTED (Use double spacing and all capital letters)

TO: ALL DIDIR, CPA - WESTERN REGION

SUBJECT: EFFECTS OF RECEIPT OF FEDERAL DISASTER AID  
BY LEGALIZATION CANDIDATES

FILE: WRREF 5211/52

REFERENCE: (FEDERAL REGISTER, VOLUME 52, NUMBER 163,  
MONDAY, AUGUST 24, 1987. PP. 31784-31786,  
TEMPORARY DISQUALIFICATION OF CERTAIN NEWLY  
LEGALIZED ALIENS FROM RECEIVING BENEFITS  
FEDERAL PROGRAMS OF FINANCIAL ASSISTANCE.

IT IS IMPORTANT THAT ALL LO'S ARE AWARE OF THE INFORMATION  
CONTAINED IN THIS WIRE.

THIS OFFICE HAS RECEIVED AN INQUIRY FROM THE CALIFORNIA  
GOVERNOR'S OFFICE OF EMERGENCY SERVICES REGARDING  
POTENTIAL EFFECTS ON IMMIGRATION STATUS "....OF  
UNDOCUMENTED ALIENS AND THOSE IN THE AMNESTY PROCESS  
THAT MAY WISH TO AVAIL THEMSELVES OF THE GRANTS AND  
LOANS AVAILABLE."

PAGE NO.	NO. OF PGS.
1	4

SECURITY CLASSIFICATION UNCLASSIFIED
---

TELEFAX TO RPF  
cc: Rocom, ROCOU, ROPIO

GRAPHIC MESSAGE		PRECEDENCE	SECURITY CLASSIFICATION
NAME OF AGENCY	USDOJ, USINS, WRO, SPD REFORM (ROCOM ([WROREF]))	ACTION: IMMEDIATE INFO:	UNCLASSIFIED
ACCOUNTING CLASSIFICATION	1581217/2210.790	DATE PREPARED 10-19-87	FILE WRREF 5211/52
FOR INFORMATION CALL			
NAME	DOUG CALVERT	PHONE NUMBER 795-6546	TYPE OF MESSAGE <input checked="" type="checkbox"/> SINGLE <input type="checkbox"/> BOOK <input type="checkbox"/> MULTIPLE ADDRESS
THIS SPACE FOR USE OF COMMUNICATION UNIT			
MESSAGE TO BE TRANSMITTED (Use double spacing and all capital letters)			
<p>TO: THERE HAS BEEN A DETERMINATION THAT THE FIRST TWO PRO-GRAMS DO NOT REQUIRE ANY TYPE OF RESIDENCY FOR ELIGIBILITY (FEMA &amp; IFG). THERE HAS BEEN A DETERMINATION THAT PURSUANT TO 8CFR 245a.2 (d)(4), receipt OF SUCH ASSIST-ANCE SHOULD NOT MAKE THE ALIEN EXCLUDABLE UNDER 212 (a)(15); IF THE ALIEN MEETS THE SPECIAL RULE UNDER 254a.2 (d)(4), (DEMONSTRATES A HISTORY OF EMPLOYMENT IN THE UNITED STATES EVIDENCING SELF-SUPPORT WITHOUT RECEIPT OF CASH ASSISTANCE)). THEREFORE, IN THE MAJORITY OF CASES, THE ACCEPTANCE OF RELIEF UNDER THE FEMA OR IFG PROGRAMS SHOULD NOT EFFECT THE PERSONS ELIGIBILITY FOR LEGALIZAT-ION UNDER 245, OR FOR SPECIAL AGRICULTURAL WORKER STATUS UNDER 8CFR, SECTION 210.3 (c)(5).</p> <p>THE SBA PROGRAM IS ONLY AVAILABLE TO "LEGAL" PERSONS WHO WILL BE IN THE UNITED STATES LONG ENOUGH TO REPAY THE LOAN. THE SBA HAD A CONCERN AS TO WHETHER NEWLY LEGAL-IZED ALIENS WERE INELIGIBLE FOR THIS TYPE OF RELIEF.</p>			
		SECURITY CLASSIFICATION	
PAGE NO.	NO. OF PGS.	UNCLASSIFIED	
3	4		

# GRAPHIC MESSAGE

TO: AGENCY SDOJ, USINS, WRO, SFD	PRECEDENCE ACTION: IMMEDIATE INFO:	SECURITY CLASSIFICATION UNCLASSIFIED
ACCOUNTING CLASSIFICATION 1581217/221	DATE PREPARED 10-19-87	FILE WREF 5211/52
NAME DOUG CALVERT	PHONE NUMBER 795-6546	TYPE OF MESSAGE <input checked="" type="checkbox"/> SINGLE <input type="checkbox"/> BOOK <input checked="" type="checkbox"/> MULTIPLE ADDRESS
INFORMATION CALL		
THIS SPACE FOR USE OF COMMUNICATION UNIT		
MESSAGE TO BE TRANSMITTED (Use double spacing and all capital letters)		

TO: PURSUANT TO A NOTICE OF PROPOSED RULES PUBLISHED IN THE REFERENCED EDITION OF THE FEDERAL REGISTER WHICH LISTED THOSE PROGRAMS THAT NEWLY LEGALIZED ALIENS ARE BARRED FROM RECEIVING DISASTER RELIEF IS SPECIFICALLY NOT INCLUDED. ACCORDING TO THE PROPOSED RULE ANY NEWLY LEGALIZED ALIEN IS ENTITLED TO RECEIVE FINANCIAL ASSISTANCE FURNISHED UNDER ANY FEDERAL DISASTER RELIEF PROGRAM. (ACCEPTANCE OF THE RELIEF, SHOULD NOT AFFECT THE ALIENS ADJUSTMENT TO PERMANENT RESIDENT STATUS). IF ANY QUESTIONS, CONTACT DOUG CALVERT, ROREF, FTS 795-6546 OR SHARON GREENSPAN, ASSISTANT ROCOU, FTS 796-4745 OR 795-6557.

SECURITY CLASSIFICATION	
PAGE NO. 4	NO. OF PGS. 4
UNCLASSIFIED	